

**IN THE MICHIGAN COURT OF APPEALS**

**ORDER**

Re: **In re Brown**  
Docket No. **267648**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),  
orders:

The motion for immediate consideration is GRANTED.

The complaint for superintending control is DISMISSED for lack of jurisdiction because an appeal from the trial court's September 27, 2005 opinion and orders is available. MCR 3.302(D)(2). As a result, each plaintiff may challenge the decision in question by filing a delayed application for leave to appeal under MCR 7.205. See MCR 7.203(B)(1). In fact, plaintiff William James has such an appeal pending in docket number 266521.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

**JAN 12 2006**

Date

*Sandra Schultz Mengel*  
Chief Clerk